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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1981 OF 2006
IN
SUIT NO.1562 OF 1978

Rustom D. Dalal and others).. Plaintiffs

Versus

Union of India and others).. Defendant

And

Twin Garden Co-op. Housing Society Ltd.).. Applicant

Ms.Shreeja John i/b.M/s.M.P.Savla & Co. for the Applicant.

Ms.Yamini Gada i/b.M/s.Harakchand & Co. for the Plaintiff.

Mr.S.R. Rajguru for Defendant No.1.

Mr.Denzil D'Mello for Defendant Nos.5 and 7.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 13TH JULY 2006

P.C.:

. The Applicant herein contends that its building which was on the suit property has collapsed and, therefore, it should be permitted to reconstruct the building. According to the learned Advocate appearing for the Applicant, the parties are directed to maintain status quo and, therefore, no authority is willing to grant permission to the Applicant to reconstruct the building. In my view, no relief can be given to the Applicant in the present Motion especially when the Applicant is not a party to the Suit.

2. Hence, Notice of Motion dismissed.